

**IN THE DISTRICT COURT OF THE UNITED STATES  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	<b>CRIMINAL NO. 2:21-CR-341</b>
	)	
<b>vs.</b>	)	<b>DEFENDANT’S MOTION TO PRODUCE</b>
	)	<b>AND PRESERVE WRITINGS USED</b>
<b>XAVIER WILLIAMS,</b>	)	<b>TO REFRESH WITNESSES MEMORY</b>
	)	<b>UNDER FRE 612</b>
<b>Defendant.</b>	)	
	)	

**TO: JAMIE LEE NABORS SCHOEN, ASSISTANT UNITED STATES ATTORNEY**

The Defendant, **XAVIER WILLIAMS**, by and through his undersigned attorney, hereby moves before the United States District Judge for the District of South Carolina, Charleston Division, for an Order directing the Government to produce and preserve all writings used to refresh witnesses’ memory pursuant to Federal Rules of Evidence 612, and Title 18 United States Code, Section 3500. In support of this Motion, the Defendant would show as follows:

In securing the Indictment of the Defendant and preparing for the prosecution against him, the Government has taken and presumably plans to continue to take witness testimony to support its case. Defendant is informed and believes that in securing such testimony the Government has used and will use various writings and documents to refresh witnesses’ memories. Defendant hereby seeks an Order directing the Government to produce and preserve these writings which it has used or it will use in eliciting such testimony. An Order so directing the Government will ensure, as Federal Rules of Evidence 612 contemplates, that Defendant will have the opportunity to inspect the documents, use them in preparing his defense, and use them to prepare for cross-examination of these witnesses.

Respectfully submitted,

s/ A. Peter Shahid, Jr.  
A. Peter Shahid, Jr., Esquire  
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Dated: November 11, 2021